



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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January 24, 2013

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TO: SACHI A. HAMAI
Executive Officer
Board of Supervisors

Attention: Agenda Preparation

FROM: PATRICK A. WU 
Senior Assistant County Counsel

RE: **Item for the Board of Supervisors' Agenda**
County Claims Board Recommendation
Luis Peralta v. County of Los Angeles, et al.
Torrance Superior Court Case No. YC 065 218

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary and the Summary Corrective Action Plan to be made available to the public.

It is requested that this recommendation, the Case Summary and the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda.

PAW:rfm

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Luis Peralta v. County of Los Angeles, et al., Torrance Superior Court Case No. YC 065 218, in the amount of \$350,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department's budget.

This lawsuit arises from injuries sustained in a vehicle accident involving an employee of the Sheriff's Department.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Luis Peralta v. County of Los Angeles, et al.
CASE NUMBER	YC 065218
COURT	Los Angeles County Superior Court
DATE FILED	July 22, 2011
COUNTY DEPARTMENT	Sheriff
PROPOSED SETTLEMENT AMOUNT	\$ 350,000
ATTORNEY FOR PLAINTIFF	Michael Alder Alderlaw PC
COUNTY COUNSEL ATTORNEY	Richard K. Kudo Senior Deputy County Counsel
NATURE OF CASE	This lawsuit arises from a vehicle collision that occurred on December 7, 2010, at the intersection of Imperial Highway and Freeman Avenue, in Hawthorne, when Sheriff's Deputy Josue Torres rear-ended the vehicle driven by plaintiff Luis Peralta. Mr. Peralta claims he sustained injuries as a result of the collision. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 37,308.50

PAID COSTS, TO DATE

\$ 26,797.79

Case Name: Luis Peralta v. County of Los Angeles, et al.



Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	Tuesday, December 7, 2010; approximately 12:27 p.m.
Briefly provide a description of the incident/event:	<p><u>Luis Peralta v. County of Los Angeles, et al.</u> Summary Corrective Action Plan No. 2012-041</p> <p>On Tuesday, December 7, 2010, at approximately 12:27 p.m., a Los Angeles County deputy sheriff was driving a standard, black and white, County-owned patrol vehicle west on Imperial Highway, east of Freeman Avenue, Hawthorne, when the vehicle he was driving collided with the rear of the plaintiff's vehicle.</p>

1. Briefly describe the root cause(s) of the claim/lawsuit:

This incident was thoroughly investigated by representatives from the Hawthorne Police Department and the Los Angeles County Sheriff's Department. Their investigations concluded that the deputy sheriff caused the traffic collision. As a result, appropriate administrative action was taken.

2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

The Los Angeles County Sheriff's Department had relevant policies and procedures/protocols in effect at the time of this incident.

The Los Angeles County Sheriff's Department's training curriculum addresses the circumstances which occurred in this incident.


The Los Angeles County Sheriff's Department's administrative review revealed employee misconduct. Consequently, appropriate administrative action was taken.

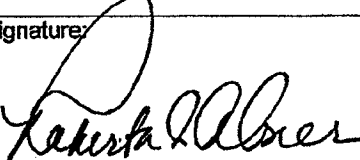
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County of Los Angeles
Summary Corrective Action Plan


3. State if the corrective actions are applicable to only your department or other County departments:
(If unsure, please contact the Chief Executive Office Risk Management Branch for assistance).

- ☐ Potentially has Countywide implications.
- ☐ Potentially has an implication to other departments (i.e., all human services, all safety departments, or one or more other departments).
- ☒ Does not appear to have Countywide or other department(s) implications.

Name: (Risk Management Coordinator)	
Shaun J. Mathers, Captain Risk Management Bureau	
Signature: 	Date: 12/7/12

Name: (Department Head)	
Roberta A. Abner, Chief Leadership and Training Division	
Signature: 	Date: 12/10/12

Chief Executive Office Risk Management Branch

Name: LEO COSTANTINO	
Signature: 	Date: 12/20/2012

\\Risk Mgt. Inspector General\CAP-SCAP-RECAP\Summary Corrective Action Plan Form 2-01-10 (Final).docx